

## STATEMENT OF SENATOR JOHN MCCAIN

Welcome. The purpose of this hearing is to receive input from the Chairman and Ranking members of Committees which have jurisdiction over tobacco legislation, as well as from Senators who have introduced comprehensive tobacco bills.

As we all know, last June a coalition of Attorneys General reached a proposed comprehensive settlement with the tobacco industry. Under the agreement, in return for accepting strict limitations on advertising; increased FDA authority to regulate nicotine and the payment of \$386 billion over 25 years, the industry would receive certain liability limitations.

Since the agreement was announced, Congress has held many tobacco hearings; various comprehensive bills have been introduced; and there has been intense public debate about the settlement and the issue of teen smoking. Yet, the fundamental question remains. Will Congress act?!

The American people don't want us to merely argue about tobacco, play political games or conveniently defer action to another day? None of those options stops one child from taking up an addiction that will most likely contribute to their early death. The American people want us to act.

Last fall, along with Senator Hollings, Senator Gorton and Senator Breaux, I introduced legislation mirroring the settlement as a vehicle for discussion and action. I had hoped we would be able to have the bill partitioned and each title sent to the Committee with jurisdiction so that every panel could do its work. That request was denied.

Over the past months a number of bills have been introduced, including measures by Senator Hatch; Senator Jeffords, Senator Kennedy; Senator Conrad and Senator Chafee. A lot of study, hard work, expertise and good intentions have been invested in developing these proposals.

However, as we all know, the Senate can't consider six tobacco bills. By necessity we must focus our efforts. The leadership has asked that the Commerce Committee, which has jurisdiction over large portions of the settlement legislation, serve as the conduit to the floor of a tobacco bill. Our charge is to work with our colleagues and meld the range of ideas and proposals into a single piece of legislation that is reasonable and practicable--one that will achieve our primary goal of dramatically reducing kids smoking and can gain the support necessary to move to the floor for further debate and refinement.

In order to achieve this difficult task, we must have the insight and help of those members who have invested their time and effort addressing the relevant questions. This hearing is part of the process to gain those insights.

Again, I want to stress the important leadership role the Administration must play in this effort. The President rightfully challenges Congress to pass a tobacco bill. We accept that challenge with the knowledge that it can't be achieved without the administration's good faith participation and commitment to achieve a result.

Finally, permit me to state the obvious. This effort will not be easy. I don't know if we will succeed but, we are going to try our best. To do any less would fail the American people.

If we do nothing, 3000 kids each day will start smoking. Many of them will become gravely ill and perish early as a result. The status quo is not the answer.

I hope that throughout this process every member of the Committee and of the Senate will keep our goal fixed on our primary objective, and work together to achieve a result that is workable in the real world and that we can all be proud of.

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